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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/005,303 | 11/12/2001 | Rosanna L. Go | P/3789-3 | 7899 |

2352 7590 03/09/2006

OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

KOPPIKAR, VIVEK D

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| ART UNIT | PAPER NUMBER |
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3626

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 10/005,303 | Applicant(s) GO, ROSANNA L. | |
| | Examiner Vivek D. Koppikar | Art Unit 3626 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/12/01 & 2/19/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Application

1. Claims 1-25 have been examined in this application. As of the date of this Communication no Information Disclosure Statement (IDS) has been filed for this case.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5, 11-17, 20 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication 2002/0042770 to Slyke in view of US Patent Number 5,715,402 to Popolo.

(A) As per claims 1 and 13, Slyke teaches a method for facilitating insurance and reinsurance transactions (Slyke: Abstract and Section [0025]), the method comprising:

accepting a session from a first user (Slyke: Section [0087]);

posting the session on a host computer system, the host computer system hosting an Internet website (Slyke: Section [0133]);

providing the at least one second user with access, through the Internet, to the Internet website hosted by the host computer system (Slyke: Section [0133]);

providing the at least one second user with access to the session (Slyke: Section [0133]);

receiving a response from the at least one second user, the response including one of a

declination of the cession, an acceptance of the cession (bidding), and a request for additional information about the cession (Slyke: Sections [0088]-[0089]); and executing the cession if the response from the at least one second user is the acceptance of the cession (Slyke: Sections [0089]-[0090]).

Slyke does not teach the step of receiving from the first user an identification of at least one second user (or a plurality of second users) designated to receive the cession; however, this feature is well known in the art as evidenced by Popolo (Col. 4, Ln. 50-57). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the method of Slyke with the aforementioned feature from Popolo with the motivation of providing a means enhancing an on-line trading system, as recited in Popolo (Col. 1, Ln. 45-48).

(B) As per claim 5, in the combined method of Slyke in view of Popolo all the information and communication related to the cession are archived (Popolo: Col. 2, Ln. 26-34 and Col. 4, Ln. 59-61). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the method of Slyke with the aforementioned feature from Popolo with the motivation of providing a user with a means of saving all the information regarding the cession.

(C) As per claim 11, the combined method of Slyke in view of Popolo teaches the step of transmitting an acceptance notification to the at least one second user if the response from the at least one second user is acceptance of the cession (Section [0138]).

(D) As per claim 12, the combined method of Slyke in view of Popolo teaches the step of providing the first user with a list of identifications from which the first user may select the second user (Popolo: Col. 4, Ln. 52-58). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have included the aforementioned feature from

Popolo into the method of Slyke with the motivation of providing a user with a means of selecting a recipient to receive their solicitation, as recited in Popolo (Col. 4, Ln. 52-58).

(E) As per claim 14, the combined method of Slyke in view of Popolo teaches receiving responses from additional ones of the second users, the responses including one of the declination of the cession, the acceptance of the cession, and the request for additional information about the cession (Slyke: Sections [0088]-[0089]); and executing the cession if the response from either the at least one second user or the additional ones of the second users is the acceptance of the cession (Slyke: Sections [0089]-[0090]).

(F) As per claim 15, the combined method of Slyke in view of Popolo teaches the step of informing the first and second users of a transaction related to the cession (Slyke: Section [0138]).

(G) As per claim 16, the combined method of Slyke in view of Popolo teaches the step of receiving responses from additional ones of the second users, each of the responses from the additional ones of the second users being an acceptance of a percentage of the cession (Slyke: Sections [0138]-[0138]).

(F) As per claim 17, Slyke teaches a system for facilitating insurance and reinsurance transactions (Slyke: Abstract and Sections [0025]), the system comprising:
an interface to the Internet (Slyke: Section [0133]);
host computer system coupled to the interface(Slyke: Section [0133]);
an Internet website hosted by the host computer system, wherein users access the Internet website on the host computer through the interface(Slyke: Section [0133]);
a memory coupled to the host computer system (Slyke: Section [0025]);

and the Internet website operable to:

receive a session from a first user(Slyke: Section [0133]), store the session in the memory (Slyke: Section [0025]),

provide the at least one second user with access to the session stored in the memory(Slyke: Section [0025]);

receive a response from the at least one second user, the response including one of a declination of the session, an acceptance of the session, and a request for additional information about the session (Slyke: Sections [0087]-[0090]), and

execute the session if the response from the at least one second user is the acceptance of the session (Slyke: Sections [0087]-[0090]).

Slyke does not teach a means of receiving from the first user an identification of at least one second user (or a plurality of second users) designated to receive the session; however, this feature is well known in the art as evidenced by Popolo (Col. 4, Ln. 50-57). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the system of Slyke with the aforementioned feature from Popolo with the motivation of providing a means enhancing an on-line trading system, as recited in Popolo (Col. 1, Ln. 45-48).

(G) As per claim 20, in the combined system of Slyke in view of Popolo all the information and communication related to the session are archived (Popolo: Col. 2, Ln. 26-34 and Col. 4, Ln. 59-61). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the system of Slyke with the aforementioned feature from Popolo with the motivation of providing a user with a means of saving all the information regarding the session.

(H) As per claim 24, the combined system of Slyke in view of Popolo teaches the step of transmitting an acceptance notification to the at least one second user if the response from the at least one second user is acceptance of the session (Slyke: Section [0138]).

(I) As per claim 25, the combined system of Slyke in view of Popolo teaches the step of providing the first user with a list of identifications from which the first user may select the second user (Popolo: Col. 4, Ln. 52-58). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have included the aforementioned feature from Popolo into the system of Slyke with the motivation of providing a user with a means of selecting a recipient to receive their solicitation, as recited in Popolo (Col. 4, Ln. 52-58).

4. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slyke in view of Popolo as applied to Claim 1 above.

(A) As per claims 3-4, the combined method of Slyke in view of Popolo does not teach or suggest a means by which users in the online system can communicate by chat and/or email, however the examiner takes Official Notice that these features are well-known in the art. At the time of the invention, it would have been obvious for one of ordinary skill in the art to have incorporated these features into the combined method of Slyke in view of Popolo in order to provide a convenient means whereby users of the online system could communicate with one another.

5. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slyke in view of Popolo as applied to Claim 17 above.

(A) As per claims 18-19, the combined method of Slyke in view of Popolo does not teach or suggest a means by which users in the online system can communicate by chat and/or email,

however the examiner takes Official Notice that these features are well-known in the art. At the time of the invention, it would have been obvious for one of ordinary skill in the art to have incorporated these features into the combined system of Slyke in view of Popolo in order to provide a convenient means whereby users of the online system could communicate with one another.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Slyke in view of Popolo as applied to Claim 1 above and in further view of US Patent Number 6, 578, 014 to Murcko.

(A) As per claim 2, the combined method of Slyke in view of Popolo does not teach or suggest the step of providing additional information about the session if the response from the at least one second user is the request for additional information, however, this feature is well known in the online business transactions industry, as illustrated by Murcko (Col. 29, Ln. 13-15). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined method of Slyke in view of Popolo with the aforementioned feature from Murcko with the motivation of being able to provide a buyer with a means of finding out more information from a seller.

7. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slyke in view of Popolo as applied to Claim 1, above, and in further view of US Patent Application Publication 2002/0087456 to Abeshouse.

(A) As per claims 6-7, the combined method of Slyke in view of Popolo does not teach or suggest the step of reminding the cedant prior to a time when the executed session is to expire and also does not enable the cedant to choose when the remind step is to occur, however, this

feature is well known in the online business transactions industry, as illustrated by Abehouse (Section [0015] and Claim 29). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined method of Slyke in view of Popolo with the aforementioned feature from Abehouse with the motivation of providing a user with a means of reminding the user of when the session or sales period would expire and also providing a user with a means of synchronizing the closing of an on-line auction, as recited in Abehouse (Section [0004]).

8. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slyke in view of Popolo, as applied to Claim 1, above, and in further view of US Patent Application Publication 2001/0034697.

(A) As per claims 8-10, the combined method of Slyke in view of Popolo does not teach or suggest generating a provisional binder related to the session after the execution step nor the step of transmitting the provisional binder to the first user and the at least one second user nor the step of archiving the provisional binder, however the feature is well known in the art as evidenced by Kaen (Section [0033]). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined method of Slyke in view of Popolo with the aforementioned feature from Kaen with the motivation of

9. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slyke in view of Popolo, as applied to Claim 17, above, and in further view of US Patent Application Publication 2001/0034697.

(A) As per claims 21-23, the combined method of Slyke in view of Popolo does not teach or suggest generating a provisional binder related to the session after the execution step nor the step

of transmitting the provisional binder to the first user and the at least one second user nor the step of archiving the provisional binder, however the feature is well known in the art as evidenced by Kaen (Section [0033]). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined system of Slyke in view of Popolo with the aforementioned feature from Kaen with the motivation of allowing the user to view or review entire aspects (bidding and other recorded data) past auctions (e.g. sales), as recited in Kaen (Section [0033]).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

“Swiss Re auctions reinsurance cover over the Internet”

(www.swissre.com/INTERNET/pwswpspr.nsf).

11. Any inquire concerning this communication or earlier communications from the examiner should be directed to Vivek Koppikar, whose telephone number is (571) 272-5109. The examiner can normally be reached from Monday to Friday between 8 AM and 4:30 PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776. The fax telephone number for this group is (703) 305-7687 (for official communications including After Final communications labeled “Box AF”).

Another resource that is available to applicants is the Patent Application Information Retrieval (PAIR). Information regarding the status of an application can be obtained from the (PAIR) system. Status information for published applications may be obtained from either

Art Unit: 3626

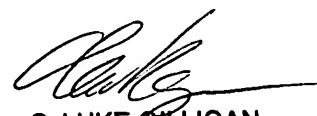
Private PAIR or Public PAX. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please feel free to contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sincerely,



Vivek Koppikar

12/9/2005



C. LUKE GILLIGAN
PATENT EXAMINER